

May 30, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT WADE MADDEN,

Defendant.

No. 4:18-CR-6023-EFS

**ORDER GRANTING UNOPPOSED MOTION
FOR PROTECTIVE ORDER PURSUANT TO
18 U.S.C. § 3509(d)**

Before the Court are the Government's Unopposed Motion for a Protective Order, ECF No. 22, and a related Motion to Expedite, ECF No. 23. The Government, unopposed by Defendant, requests that the Court issue a protective order, pursuant to 18 U.S.C. § 3509(d)(3)(B)(ii), designed to protect the minors involved in this case. The Court finds good cause to grant the Unopposed Motion.

Accordingly, **IT IS HEREBY ORDERED:**

1. The privacy protection measures mandated by 18 U.S.C. § 3509(d), when a case involves a person under the age of eighteen years who is alleged to be a victim of a crime of sexual exploitation, or a witness to a crime committed against another person, apply to this case, thus;

1 2. All persons acting in this case in a capacity described in 18
2 U.S.C. § 3509(d)(1)(B), shall follow and abide by the privacy
3 protections of 18 U.S.C. § 3509(d)(1) and (2) as follows:

4 (d) Privacy protection.--

5 (1) Confidentiality of information.--

6 (A) A person acting in a capacity described in
7 subparagraph (B) in connection with a criminal
8 proceeding shall--

9 (i) keep all documents that disclose the name or
10 any other information concerning a child in a
11 secure place to which no person who does not have
12 reason to know their contents has access; and

13 (ii) disclose documents described in clause (i)
14 or the information in them that concerns a child
15 only to persons who, by reason of their
16 participation in the proceeding, have reason to
17 know such information.

18 (B) Subparagraph (A) applies to--

19 (i) all employees of the Government connected
20 with the case, including employees of the
21 Department of Justice, any law enforcement agency
22 involved in the case, and any person hired by the
23 Government to provide assistance in the
24 proceeding;

25 (ii) employees of the court;
26

1 (iii) the defendant and employees of the
2 defendant, including the attorney for the
3 defendant and persons hired by the defendant or
4 the attorney for the defendant to provide
5 assistance in the proceeding; and
6 (iv) members of the jury.

7 (2) Filing under seal.--All papers to be filed in court
8 that disclose the name of or any other information concerning
9 a child shall be filed under seal without necessity of
10 obtaining a court order. The person who makes the filing
11 shall submit to the clerk of the court--

12 (A) the complete paper to be kept under seal; and

13 (B) the paper with the portions of it that disclose
14 the name of or other information concerning a child
15 redacted, to be placed in the public record.

16 3. Counsel shall remind all persons providing assistance on this
17 case of these obligations.

18 4. Any alleged minor victim will be referred to either by initials
19 or a pseudonym, whichever is agreed upon by counsel for the
20 United States and the Defendant. Counsel shall be consistent in
21 their use of the identifier selected. The parties shall prepare
22 their witnesses and instruct them to refer to the alleged minor
23 victims only by using the agreed pseudonyms (e.g., "Minor 1",
24 "Minor 2" etc.), rather than their names, in opening statements
25 and in closing arguments.
26

1 5. All personal information relating to any minor victim shall be
2 precluded from public disclosure.

3 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this
4 Order and provide copies to all counsel.

5 **DATED** this 30th day of May 2018.

6
7 s/Edward F. Shea
8 EDWARD F. SHEA
9 Senior United States District Judge
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